



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

August 18, 2020

VIA ECF

The Honorable Sarah Netburn
United States Magistrate Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Platsky v. Federal Bureau of Investigation*, 20-cv-573 (JPO) (SN)

Dear Judge Netburn:

This Office represents Defendant the Federal Bureau of Investigation (“FBI”) in the above-referenced action, which *pro se* Plaintiff brought pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). (ECF No. 2.) The action arises from Plaintiff’s FOIA request for information as to whether his name appears on any terrorist watch lists. Pursuant to standard FBI practice and FOIA Exemption 7(E), the FBI responded that it could neither confirm nor deny whether a particular person is on any terrorist watch list. By Order dated August 6, 2020, the Court instructed the parties to file a joint letter on or before August 27, “indicating whether there is any need for discovery or an initial conference,” and if not, proposing a briefing schedule for any motions. (ECF No. 18.)

The parties respectfully submit this joint letter to notify the Court that neither party believes there is any need for discovery or an initial conference. The parties instead submit that the next step in this action should be cross-motions for summary judgment. The parties propose the following briefing schedule:

- FBI’s motion for summary judgment due on or before October 23, 2020;
- Plaintiff’s cross-motion for summary judgment and opposition to the FBI’s motion due on or before December 4, 2020;
- FBI’s reply in further support of its motion and opposition to Plaintiff’s cross-motion due on or before December 31, 2020;
- Plaintiff’s reply in further support of his cross-motion due on or before January 22, 2021.

We thank the Court for its consideration of this submission.

Respectfully,

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Acting United States Attorney

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